

33 / **PETITION FOR ZONING VARIANCE 85-31-A**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2b (3) - to permit 40 parking spaces instead of the required 47 spaces

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

- (1) This site is situated in the midst and existing commercial area
- (2) The existing parking layout shown on attached plat reflects the maximum number of parking spaces that will fit within the site boundaries
- (3) The plan exterior walk-in freezer shown on the attached plat will not create any increase in vehicular traffic for this site

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and resolutions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

Address

City and State

City and State

Attorney for Petitioner:

Attorney for Petitioner:

(Type or Print Name)

(Type or Print Name)

Address

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City and State

City and State

Name, address and phone number of legal owner, contract purchaser or representative as he contacted

Name, address and phone number of legal owner, contract purchaser or representative as he contacted

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RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SE Corner Joppa & Harford : OF BALTIMORE COUNTY
Rd., 11th District
D. W. MACLAY, et al., : Case No. 85-31-A
Petitioners :
: : : : :
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 18th day of July, 1984, a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, Esquire, Suite 300, 222 E. Redwood St., Baltimore, MD 21202, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 18, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Road Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Stanley S. Fine, Esquire
Suite 300, 222 E. Redwood Street
Baltimore, Maryland 21202

RE: Item No. 331 - Case No. 85-31-A
Petitioner - D. W. MacLay, et al
Variance Petition

Dear Mr. Fine:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Spellman, Larson & Associates, Inc.
105 W. Chesapeake Avenue
Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GENDER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 6/5/84
Item # 331
Property Owner: D.W. MACLAY, et al
Location: 222 E. Redwood St. & Avondale Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments:

The plan must be submitted to the Planning Board for review and approval. The plan must be submitted to the Planning Board for review and approval.

Eugene A. Robert
Eugene A. Robert
Chief, Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550
STEPHEN E. COLLINS
DIRECTOR

July 2, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 331 - ZAC Meeting of June 5, 1984
Property Owner: D.W. MacLay, et al
Location: SW/Cor. Joppa Road and Avondale Road
Existing Zoning: B.L.-CNS
Proposed Zoning: Variance to permit 40 parking spaces in lieu of the required 47.

Acres: .7585
District: 11th

Dear Mr. Jablon:

The requested variance to parking may cause some parking problems in the area.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MSF/ccm

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

July 13, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 331 - (1983-1984)
Property Owner: D.W. MacLay, et al
SW/Cor. Joppa Road & Avondale Road
Acres: .7585 District: 11th.

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utilities improvements exist and are not directly involved.

All improvements, intersections, entrances, drainage requirements and construction affecting Harford Road (Md. 147) right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 331 (1983-1984).

Very truly yours,
Gilbert S. Benson
GILBERT S. BENSON, P.E., Asst. Chief
Bureau of Public Services

GSB:EAM:FWR:rm

KY-N.E.E.
PS-36 N.E.18
TP-N.E.9-E
TX - 71

Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
Hal Kassoff
Acting Administrator

June 8, 1984

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/would not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14 day of August, 1984, that the ~~variance~~ Petition for Variance(s) to permit 40 parking spaces instead of the required 47 spaces, in accordance with the site plan marked Petitioners' Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. A detailed landscaping plan shall be submitted to and approved by the Current Planning and Development Division, Office of Planning and Zoning.
3. A revised site plan indicating the stacking spaces for the drive-thru shall be submitted to the Zoning Commissioner for approval.

[Signature]
Zoning Commissioner of
Baltimore County

AJ/srl
cc: Stanley S. Fine, Esquire
People's Counsel

ORDER RECEIVED FOR FILING
DATE August 1, 1984
BY Stanley S. Fine, Esquire
Attorney for Petitioner

**SPELLMAN, LARSON
& ASSOCIATES, INC.**
SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.B.
JOSEPH L. LARSON
LOUIS J. FRASER, P.E.
ALBERT REY
MARK C. MARTIN

DESCRIPTION FOR A VARIANCE TO ZONING, JOPPA ROAD, HARFORD ROAD, AVONDALE ROAD, 11TH DISTRICT, BALTIMORE COUNTY, MARYLAND Pg. 2

South 58 Degrees 46 Minutes 45 Seconds East 122.22 feet) to the north side of Spur "C" (cutoff road connecting Harford Road with Avondale Road) and running thence and binding on the north side of Spur "C" easterly by a curve to the right with a radius of 731.58 feet the distance of 49.14 feet (the chord of the arc bears North 86 Degrees 10 Minutes 38 Seconds East 49.13 feet) North 88 Degrees 06 Minutes 05 Seconds East 38.72 feet South 81 Degrees 30 Minutes 11 Seconds East 42.65 feet northeasterly by a curve to the left with a radius of 317.03 feet the distance of 49.94 feet (the chord of the arc bears North 83 Degrees 36 Minutes 51 Seconds East 49.89 feet) and North 79 Degrees 06 Minutes 04 Seconds East 13.34 feet to the westernmost side of Avondale Road herein referred to and running thence and binding on the westernmost side of Avondale Road North 2 Degrees 13 Minutes 51 Seconds West 60.65 feet to the place of beginning.

Containing 0.7585 acres of land, more or less.

5/24/84



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4300

PAUL H. REINCKE
CHIEF

June 18, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: D. W. MacLay, et al

Location: SW/Cor. Joppa Road and Avondale Road

Item No.: 331

Zoning Agenda: Meeting of 6/5/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY [Signature] Noted and Approved: George M. Regan
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

PETITION FOR VARIANCE

11th Election District

ZONING: Petition for Variance

LOCATION: Southeast corner of Joppa and Harford Roads

DATE & TIME: Tuesday, July 31, 1984 at 10:45 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit 40 parking spaces instead of the required 47 spaces

Being the property of D. W. MacLay, et al, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3010

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

On site on item #331 Zoning Advisory Committee Meeting are as follows:

Property Owner: D. W. MacLay, et al
Location: SW/Cor. Joppa Road and Avondale Road
Existing Zoning: B.L.-CNS
Proposed Zoning: Variance to permit 40 parking spaces in lieu of the required 47.

Acres: 0.7585
District: 11th

The items checked below are applicable:

- A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Building and Apes and other applicable Codes.
- B. A building/ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical data.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6-0 for Commercial uses or 3-0 for One & Two Family use group, of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3-0 of lot lines. A fire wall is required if construction is on the lot line, see Table 101, line 2, Section 1107 and Table 1102, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- I. Comments If freezer is insulated with foamed plastic it shall comply with Section 1319.3.3 of the 1981 Baltimore County Building Code.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

[Signature]
Charles E. Burdick, Chief
Plans Review

CZB:es

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

July 27, 1984

Stanley S. Fine, Esquire
222 East Redwood Street
Suite 300
Baltimore, Maryland 21202

Re: Petition for Variance
SE/corner Joppa and Harford Roads
D. W. MacLay, et al - Petitioners
Case No. 85-31-A

Dear Mr. Fine:

This is to advise you that \$52.38 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 131952

DATE 7-31-84 ACCOUNT R-01-615-000

AMOUNT \$52.38

RECEIVED FROM Stanley S. Fine, Esq.
FOR advertising & posting Case # 85-31-A

6 0160000052384 0316F

VALIDATION OR SIGNATURE OF CASHIER

**SPELLMAN, LARSON
& ASSOCIATES, INC.**

SUITE 107 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
823-3535

ROBERT E. SPELLMAN, P.L.B.
JOSEPH L. LARSON
LOUIS J. FRASER, P.E.
ALBERT REY
MARK C. MARTIN



DESCRIPTION FOR A VARIANCE TO ZONING, JOPPA ROAD, HARFORD ROAD, AVONDALE ROAD, 11TH DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at the corner formed by the West side of Avondale Road, of varying width, and the South side of Joppa Road, of varying width, and running thence and binding on the South side of Joppa Road northwesterly by a curve to the right with a radius of 659.87 feet the distance of 187.80 feet (the chord of the arc bears North 65 Degrees 28 Minutes 45 Seconds West 187.16 feet) and westerly by a curve to the left with a radius of 90.00 feet the distance of 96.55 feet (the chord of the arc bears North 86 Degrees 15 Minutes 38 Seconds West 91.99 feet) to the southeast side of Harford Road, of varying width, and running thence and binding on the southeast side of Harford Road southwesterly by a curve to the left with a radius of 200.00 feet the distance of 24.50 feet (the chord of the arc bears South 39 Degrees 00 Minutes 50 Seconds West 24.49 feet) South 35 Degrees 30 Minutes 15 Seconds West 27.77 feet southwesterly by a curve to the right with a radius of 400.00 feet the distance of 27.90 feet (the chord of the arc bears South 37 Degrees 30 Minutes 08 Seconds West 27.80 feet) and South 39 Degrees 30 Minutes 00 Seconds West 7.02 feet thence leaving the southeast side of Harford Road and running South 48 Degrees 19 Minutes 56 Seconds East 27.20 feet and southeasterly by a curve to the left with a radius of 387.03 feet the distance of 122.90 feet (the chord of the arc bears

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GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

July 2, 1984

Stanley S. Fine, Esquire
222 E. Redwood Street
Suite 300
Baltimore, Maryland 21202

NOTICE OF HEARING
Re: Petition for Variance
SE/corner Joppa and Harford Roads
D. W. MacLay - Petitioner
Case No. 85-31-A

TIME: 10:45 A.M.

DATE: Tuesday, July 31, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 130574

DATE May 28, 1984 ACCOUNT 01-615-000

AMOUNT \$100.00

RECEIVED FROM Stanley S. Fine
FOR Filing Re: Petition for Variance # 85-31-A

6 1300000010000 0202A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

D. W. MacLay, et al
SUBJECT: No. 85-31-A

Date: July 18, 1984

This office is not opposed to the granting of this petition; however,
it is requested that some landscaping be required.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG/JGH/sf

85-31-A
CERTIFICATE OF PUBLICATION

TOWSON, MD., July 12, 1984

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
July 12, 1984.

THE JEFFERSONIAN,

B. Venetian

\$18.00

PETITION FOR VARIANCE
11th Election District

ZONING: Petition for Variance
LOCATION: Southeast corner
of Joppa and Harford Roads
DATE & TIME: Tuesday, July
31, 1984 at 10:00 A.M.
PUBLIC HEARING: Room 106,
County Office Building,
111 W. Chesapeake Avenue,
Towson, Maryland 21204
The Zoning Commissioner of
Baltimore County, by authority
of the Zoning Act and Regu-
lations of Baltimore County,
will hold a public hearing:
Petition for Variance to per-
mit 40 parking spaces instead
of the required 47 spaces.
Being the property of D.W.
MacLay, et al, as shown on
plat plan filed with the Zon-
ing Department.

In the event that this Peti-
tion is granted, a building
permit may be issued within
the thirty (30) day appeal pe-
riod. The Zoning Commissioner
will, however, entertain any
request for a stay of the iss-
uance of said permit during this
period for good cause shown.
Such request must be received
in writing by the date of the
hearing set above or made at
the hearing.

BY ORDER OF
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
July 12, 1984

85-31-A
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 11 Date of Posting: 7/15/84

Posted for: Petition for Variance

Petitioner: D. W. MacLay

Location of property: SE corner of Joppa & Harford Rd.

Location of Signs: 1- facing intersection of Joppa & Harford Rd.;
2- at entrance to property facing Joppa Rd.

Remarks:

Posted by: Brian D. McManus Date of return: 7/20/84

Number of Signs: 2

85-31-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
8th day of June, 1984.

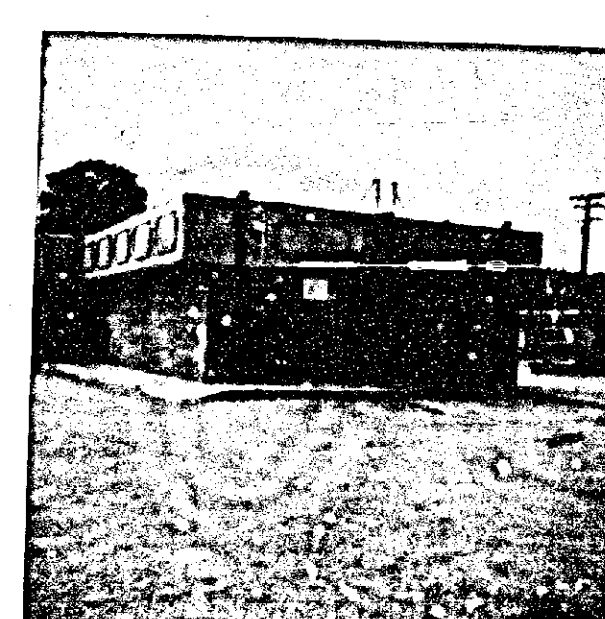
Petitioner: D. W. MacLay, et al
Petitioner's Attorney: Stanley S. FINE, Esquire

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Received by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee



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L63193 1984
CERTIFICATE OF PUBLICATION

PETITION FOR VARIANCE
11th Election District

ZONING: Petition for Variance
LOCATION: Southeast corner
of Joppa and Harford Roads
DATE & TIME: Tuesday, July 31, 1984 at 10:00
A.M.
PUBLIC HEARING: Room 106, County Office
Building, 111 W. Chesapeake Avenue, Towson,
Maryland

The Zoning Commissioner of Baltimore County,
by authority of the Zoning Act and Regulations of
Baltimore County, will hold a public hearing:
Petition for Variance to permit 40 parking
spaces instead of the required 47 spaces.
Being the property of D.W. MacLay, et al, as
shown on plat plan filed with the Zoning Depart-
ment.

In the event that this Petition is granted, a
building permit may be issued within
the thirty (30) day appeal period. The Zoning
Commissioner will, however, entertain any request for a
stay of the issuance of said permit during this
period for good cause shown. Such request must
be received in writing by the date of the hearing
set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY
7/22/84 1984

Towson, Md. 7/28 1984

THIS IS TO CERTIFY, that the annexed advertisement
was published in the TOWSON TIMES, a weekly news-
paper distributed in Towson, Baltimore County, Md.,
once a week for 1 consecutive weeks, the
first publication appearing on the 11th day of
July, 1984.

The TOWSON TIMES
Marguerite Angelle
Cost of Advertisement: \$24.38



7



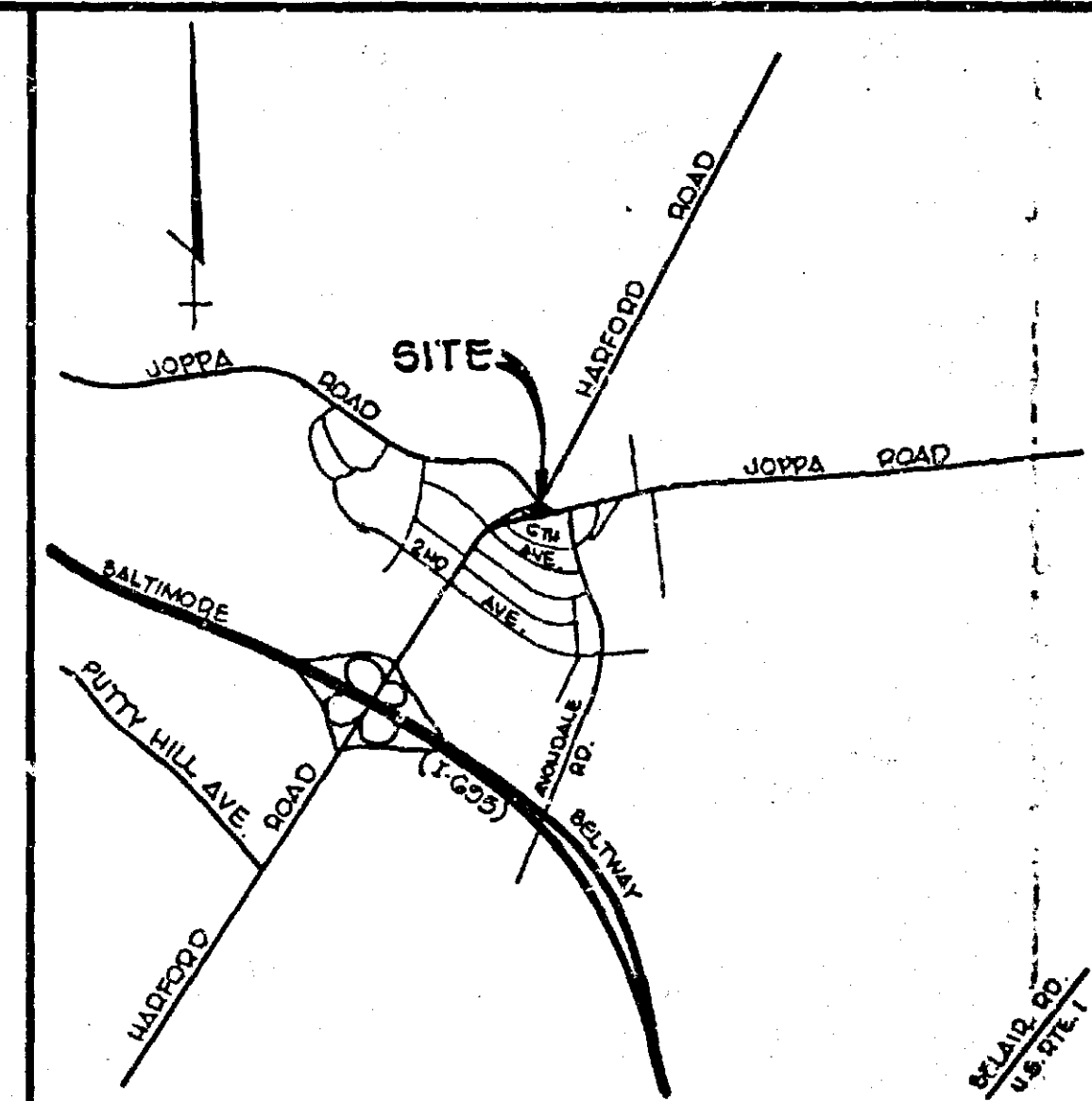
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5



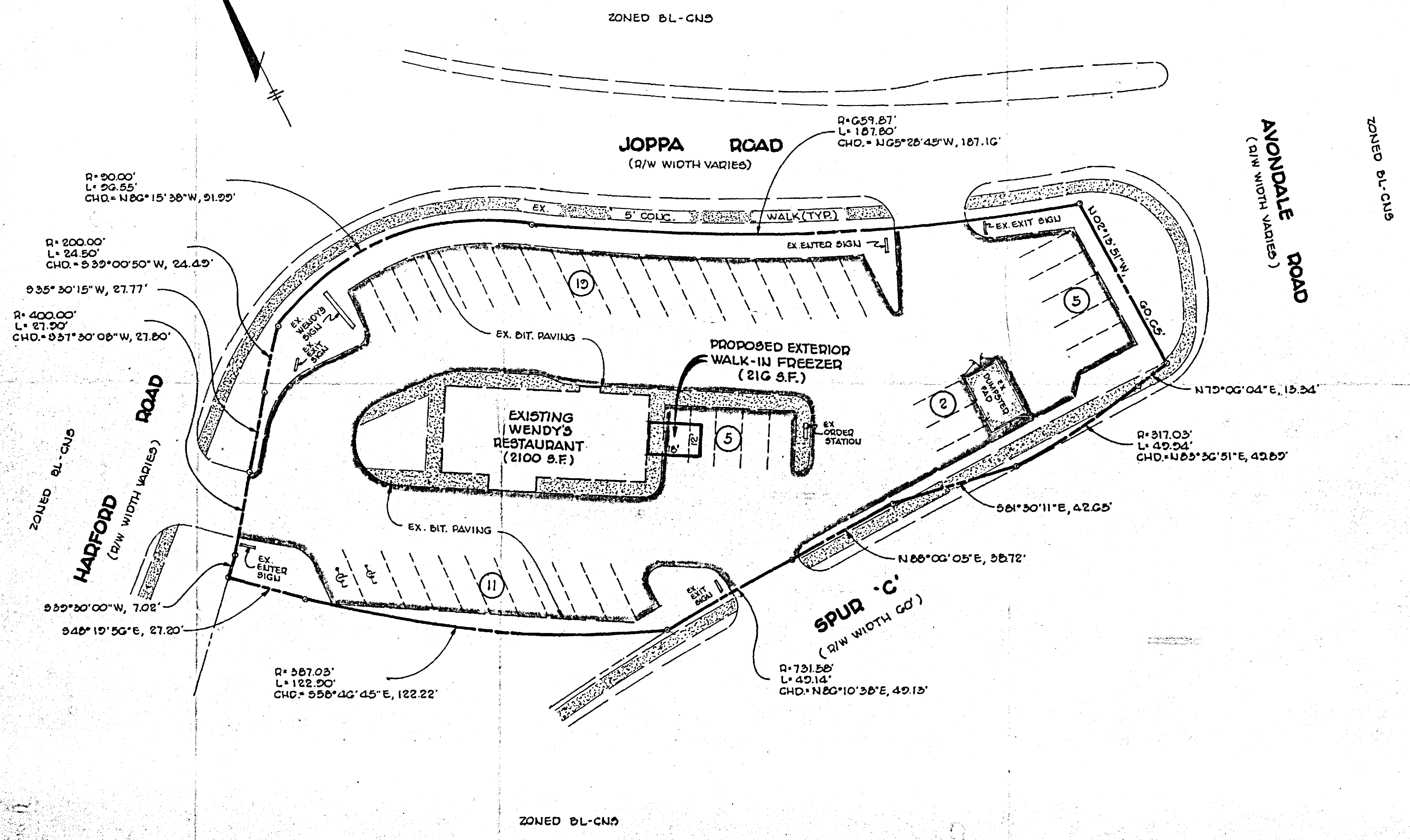
3



VICINITY MAP
SCALE: 1" = 200'

GENERAL NOTES

EXISTING ZONING	BL-CNS
EXISTING RESTAURANT AREA	2100 S.F.
PROPOSED WALK-IN FREEZER AREA	216 S.F.
TOTAL RESTAURANT AND WALK-IN FREEZER AREA	2316 S.F.
PARKING REQUIRED: TOTAL RESTAURANT AND WALK-IN FREEZER AREA IN S.F. ÷ 50 = 47	
PARKING PROPOSED	40
A VARIANCE TO THE ZONING REGULATIONS IS REQUIRED TO ALLOW 40 PARKING SPACES INSTEAD OF THE REQUIRED 47 AS STIPULATED IN SECTION 409.2 b (3).	
TOTAL SITE AREA	0.751 AC.



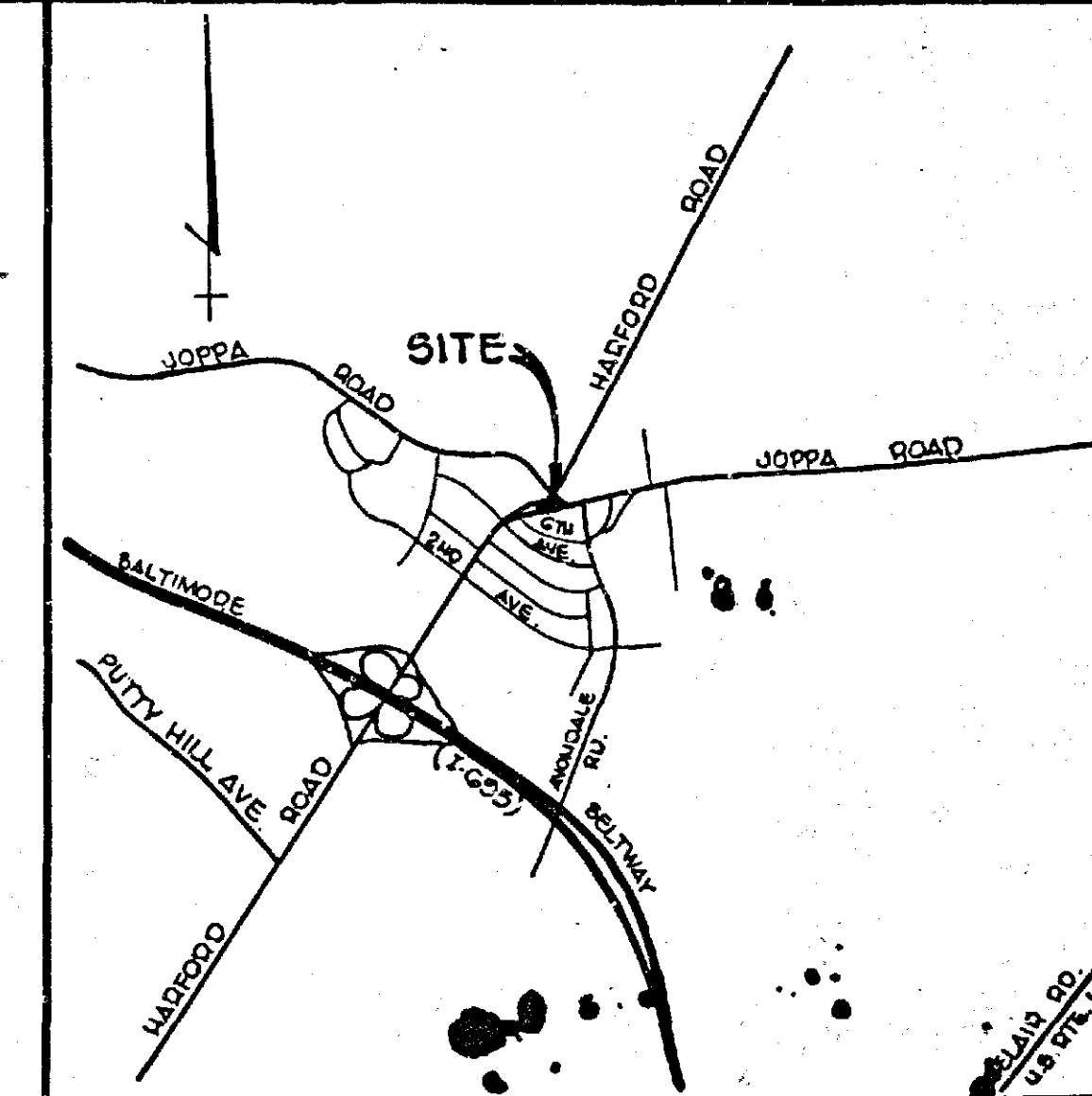
REVISIONS		
NO.	DATE	DESCRIPTION

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE: 823-3535

OWNER
M.C.C. GROUP - MARYLAND H. I.
G.D. VENTURE
3500 OAKLAND
DALLAS TEXAS, 75210

VARIANCE PLAT

11 EL. DIST. BALTIMORE CO., MD.
SCALE: 1" = 20'
DATE: MAY 14, 1984 DES. BY: DRN BY: AWQ SHT. 1 OF 1
#84054



GENERAL NOTES

EXISTING ZONING	BL-CNS
EXISTING RESTAURANT AREA	2100 S.F.
PROPOSED WALK-IN FREEZER AREA	216 S.F.
TOTAL RESTAURANT AND WALK-IN FREEZER AREA	2316 S.F.
PARKING REQUIRED:	
TOTAL RESTAURANT AND WALK-IN FREEZER AREA IN S.F. ÷ 50 = 47	
PARKING PROPOSED	40
A VARIANCE TO THE ZONING REGULATIONS IS REQUIRED TO ALLOW 40 PARKING SPACES INSTEAD OF THE REQUIRED 47 AS STIPULATED IN SECTION 403.2 b (3).	
TOTAL SITE AREA	9751 ACS

**PETITIONER'S
EXHIBIT 1**

[illegible]

**SPELLMAN, LARSON
&
ASSOCIATES, INC.**
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 107, JEFFERSON BLDG., TOWSON, MD., 21204
PHONE: 823-3535

OWNER
M.C.C.GROUP- MARYLAND H. #
G.B. VENTURE
3500 OAKLAWN
DALLAS TEXAS 75219

VARIANCE PLAT

11 EL. DIST.		BALTIMORE CO., MD.	
SCALE: 1" = 20'	DES. BY: -	SHT. 1 OF 1	
DATE: MAY 14, 1964	DRN. BY: AWD		

A hand-drawn map showing the location of a 'SITE' at the intersection of Joppa Road and Hubrood Road. The map includes labels for Joppa Road, Hubrood Road, Baltimore Road, Rutty Hill Ave, and a 'SITE' marked with an arrow. A shaded area is also visible near the intersection.

GENERAL NOTES

LANDSCAPE DATA:		
# of Parking Spaces	= 3.3	Major Trees
\$21.3 LF of Street	= 15.5	Major Trees
Required	10.8	Major Trees
Proposal	13	Major Trees
	15	Minor Trees



VARIANCE SECTION - CASE NO. 85-31-A ITEM NO. 33

REVISIONS		
NO.	DATE	DESCRIPTION
1	8-21-84	PER ZONING COMMENTS
2	9-18-84	PER CITY ENGINEER & CO. LANDSCAPE COMMENTS

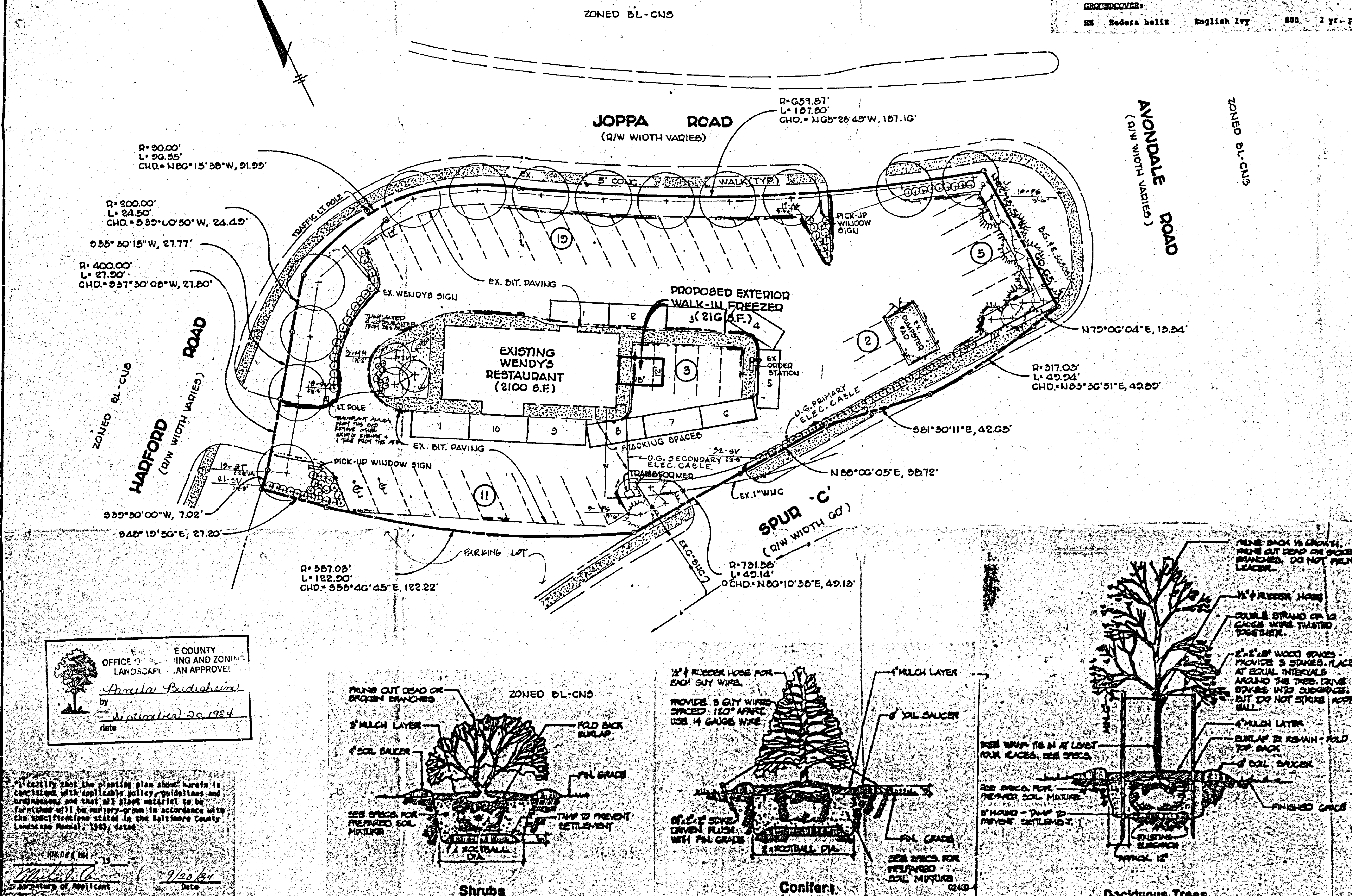
**SPELLMAN, LARSON
&
ASSOCIATES, INC.**

OWNER
M.C.C. GROUP - MARYLAND H.
G.B. VENTURE
\$500 OAKLAWN

RADIANCE OF AT

11 EL. DIST.		BALTIMORE CO., MD	
SCALE: 1" = 20'	DES. BY:	SHT.	OF
DATE: MAY 14, 1964	DRAWN BY: JAW		

PAGE 1



SECTION 02480 - LANDSCAPE WORK

General Landscape Requirements:

Submit planting schedule showing coordination of normal planting times with construction schedule for other (related) work.

Submit mulch sample for architect's approval.

Layout areas of planting and location of each major plant, for review by Architect prior to start of planting. The Contractor shall notify Architect 3 days prior to start of planting. No planting shall occur until Architect has reviewed and accepted all plants and their locations.

Plant Size and Quality: Provide sizes of plants as shown or scheduled, conforming to ANSI Z60.1 "Standard for Nursery Stock" for shape and quality.

Furnish balled and burlapped (B&B) trees and shrubs, except container-grown plants may be furnished if indicated size is below limit established in ANSI Z60.1.

Furnish ground cover plants in removable containers or integral peat pots.

Warranty plants, shrubs and trees for a period of one year against death and unhealthy condition, except as may result from neglect by Owner, damage by others, and unusual phenomena beyond Installer's control. Replace at optimum planting time.

Provide topsoil to supplement that (if any) shown as available for reuse at site. Proved clean, fertile, friable, natural loam obtained from a local, well drained source.

Provide fertilizer, humus and other soil amendments of a type which are known to improve PH condition of soil for particular plant material to be planted. Mix peat humus (FS Q-P-166) with topsoil in the ratio of 1:3 for use in planting.

Fertilize topsoil for planting trees, shrubs and ground cover with a 5-10-5 (5% nitrogen, 10% phosphorus, 5% potash), commercial fertilizer, applied and mixed at rate of not less than 0.25 lbs. per cu. ft. of soil and humus.

Fertilize topsoil for planting grass with a high-nitrogen content commercial fertilizer, containing 4% phosphorus, 2% potash and nitrogen in sufficient quantity to supply not less than 1.0 lbs. of actual nitrogen per 1000 sq. ft. lawn area.

Add lime or other soil amendments as needed after determination based upon soil analysis. Review proposed materials and quantities with Architect.

Planting Trees:

Excavate pit to 1-1/2 times diameter of tree ball and not less than 6" deeper. Compact layer of topsoil in pit to locate collar of plant properly in a slightly dished finish grade. Backfill around ball with topsoil, compacted to eliminate voids and air pockets, watering thoroughly as layers are placed. Apply 4" mulch of shredded hardwood bark.

Prune trees to remove damaged branches, improve natural shape, thin out structure and remove not more than 15% of branches. Do not prune back terminal leader.

Wrap trunk from ground to first branch with tree wrapping tape.

Guy and stake tree 3 directions with galvanized wire, through flexible hose tree protectors, with wooden stake anchors.

Planting Shrubs:

Excavate pits or trench to 2 times diameter of balls or containers, or 1'-0" wider than spread of roots, and 3" deeper than required for positioning at proper height. Compact a layer of topsoil in bottom before placing plants. Backfill around plants with topsoil, compacted to eliminate voids and air pockets. Water thoroughly as layers are placed. Form grade slightly dished, and bermed at edges of excavation. Apply 3" mulch of shredded hardwood bark.

Prune shrubs to remove damaged branches, improve natural shape, thin out structure and remove not more than 15% of branches. Plant hedges and shrub masses in continuous mulched bed.

Planting Ground Cover:

Till to depth of 8" in all areas.

Loosen subgrade to depth of 4" in areas where topsoil has been stripped, and spread topsoil to depth of 4", except as otherwise indicated.

Space plants 8" apart both ways, except as otherwise indicated. Dig holes large enough to allow for spreading of roots. Compact backfill to eliminate voids. Water thoroughly. Apply 2" mulch of shredded hardwood bark mulch over entire planting bed, lifting plant foliage above mulch.

During periods of hot sun and wind at time of planting, provide protective cover for several days.

Special Conditions:

Transplant Azaleas and Cotoneaster from site to new locations as shown on drawing. Remove all other existing plant material.

Repair any damaged or disturbed sod as a result of the planting operations.

Landscape Maintenance:

Maintain landscape work for a period of 60 days immediately following complete installation of each major category of work. Include watering, weeding, cultivating, restoration of grade, mowing and trimming grass, pruning trees and shrubs, protection from insects and diseases, fertilizing and similar operations as needed to ensure normal growth and good health for live plant material.

END OF SECTION 02480